



City of Helena
316 N. Park Avenue
Helena, Montana 59623

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APR 01 1998

MONTANA
DEPT. OF ENVIRONMENTAL QUALITY
COMMUNITY SERVICES BUREAU

File: Helena
1. A.

1) Methane

2) Corr. Measures

3) Admin.
Order.
(new)

March 30, 1998

Mr. Pat Crowley
MDEQ - Permitting and Compliance Division
Community Services Bureau
P.O. Box 200901
Helena, MT 59620

Dear Pat,

This letter has been prepared in response to your letter of March 12, 1998, regarding Financial Assurance for Corrective Measures, and to other concerns which you mentioned in our meeting last Wednesday. In our meeting, we agreed to the following:

- The City will submit a corrective measures cost estimate and financial assurance information, which will include cost for a landfill gas extraction system covering the entire landfill. This estimate and financial assurance information will be available at our first Wednesday meeting (April 1, 1998 at 9:00 a.m.).
- Final design, and determination of the size and location of further gas extraction is dependent on testing of the Phase I system, which should be operational in the next week. A two month testing phase has been proposed. After this testing period, the city proposes a meeting to discuss the scope and timeline for further design and implementation of gas extraction.
- The City will continue working on a technical and political resolution to methane migration and land-ownership issues on Carroll College property west of the landfill. The next step in this issue will be the presentation of construction cost estimates for several technical options at our meeting scheduled for Wednesday, April 1, 1998. The city is committed to implementing mitigative measures for methane migration west of the fill area during 1998.

In regard to the financial assurance cost estimates required by MDEQ. Initial cost estimates, which the city believed covered environmental monitoring, post-closure care, and corrective measures selected was submitted to MDEQ in Spring of 1997. The MDEQ responded to this submittal in a two letters dated November 7 and 10, 1998. The first of these letters requested additional information on environmental monitoring costs, which were submitted by the City. As your letter stated, costs for corrective measures are to be submitted within 120 days of

selecting a remedy. At no time has the City considered anything past the Phase I system which is installed at the YMCA, a **selected** remedy.

As no further remedy has been "selected," the City does not consider themselves to be negligent in providing the department financial assurance information. However, the City has agreed to provide you the enclosed financial assurance information to provide the Department with assurance that the City is able to finance a "full-scale" gas extraction system if necessary. This cost estimate is assumed to include adequate cost to globally encompass the Phase I system installed; mitigation of methane migration to near Carroll College, which we are committed to, and any additional gas extraction which may be required to control migration and/or address groundwater concerns.

A global gas extraction system addressing all of the landfill (Phase I, II and III) is well beyond the scope of gas extraction discussed in the corrective measures study. The City does recognize that MDEQ considers the Phase I system too small to adequately address groundwater concerns at the site. However, the two month test period will allow us to determine the area of landfill which will be influenced by the system and make decisions regarding the scope of further corrective actions.

I would also like to comment regarding your assertion during our meeting that the City has ignored methane migration from the west edge of the fill area. While it is true that the City realizes that migration in this area has occurred for some time, we have discussed the issue numerous times with MDEQ. Because of the apparent barrier to significant migration and the distance to buildings on this side of the landfill, it has been the City's position, and we thought MDEQ's that this area would be addressed after the Phase I work is completed, in recognition of fiscal concerns. With Carroll's desire to do construction in this area, we realize that it is important to now make this mitigation system a priority, which is why we have performed the investigation of methane migration and fill depth in this area and developed potential mitigation alternatives.

With regard to the corrective measures for groundwater, we maintain a position that the City has developed the appropriate response, considering the scope of the problem. While it is apparent that the landfill has contributed constituents to groundwater in the area, it is important to consider the scope of the problem and potential for risk to human health and the environment, in developing corrective alternatives. The department's regulations ARM 17.50.710 states the department may determine that remediation of groundwater is not necessary:

- If the constituent(s) present in ground water is not currently or reasonably expected to be a source of drinking water: and is not hydraulically connected with waters to which the hazardous constituents are migrating or are likely to migrate in a concentration(s) that would exceed the ground water protection standards..., or

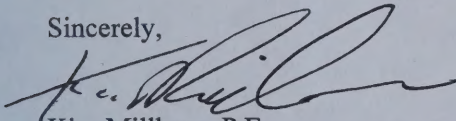
- If the ground water is additionally contaminated by substances that have originated from another source other than (the landfill) and those substances are present in concentrations such that cleanup of the release from the disposal unit would provide no significant reduction in risk to actual or potential receptors.

Owners in the area in which the groundwater plume extends at concentrations exceeding the groundwater protection standards are prohibited by statute from installing wells for potable use. Years of data have shown that the constituents attributable to the landfill present in groundwater are not likely to migrate to any area used as drinking water at a concentration exceeding the ground water protection standards. Past data also show the tetrachloroethylene concentrations in groundwater from other nearby source(s) are at levels which exceed the groundwater protection standard. In light of these issues we continue to maintain that any cleanup activities would not significantly reduce risk to human health or the environment (because little risk is present), and that the department has the responsibility to consider the cost versus benefit of any corrective measure.

We hope that the commitments which we have presented in this letter and in our meeting last week are consistent with what we discussed. We look forward to meeting with you this week and working together to provide the best resolution of your concerns.

Please call if you have any questions or need further information.

Sincerely,



Kim Millburn, P.E.
Public Works Manager

c: Mr. Ted Hill, City of Helena Environmental Engineer
Steve Downs, Hydrometrics
Dennis M. Taylor, City Manager
David Nielsen, City Attorney
Shelly Laine, Administrative Services Director

It is noted that a substantial amount of information has been requested from the various agencies and that the information is being provided in a timely manner. It is noted that the information is being provided in a timely manner.

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